

GOLENBOCK EISEMAN
ASSOR BELL & PESKOE^{LLP}

Attorneys at Law | 711 Third Avenue, New York, NY 10017-4014
T (212) 907-7300 | F (212) 754-0330 | www.golenbock.com

DIRECT DIAL No.: (212) 907-7327
DIRECT FAX No.: (212) 754-0777
EMAIL ADDRESS: jflaxer@golenbock.com

February 6, 2018

Via ECF and Hand Delivery

Hon. Elizabeth S. Stong
U.S. Bankruptcy Court, EDNY
Conrad B. Duberstein U.S. Courthouse
271-C Cadman Plaza East, Suite 1595
Brooklyn, NY 11201-1800

Re: *In re LW Retail Associates LLC* (Case No. 17-45189 (ESS))

Dear Judge Stong:

Reference is made to the Motion of Loft Space Condominium [Docket 33] to, *inter alia*, dismiss the referenced bankruptcy case. An initial hearing on the Motion was held on December 7, 2017, and an adjourned hearing is scheduled for February 8, 2018 at 3:00 p.m. We write to inform the Court that Loft Space Condominium and the Debtor have agreed to mediate the pending disputes between them upon the following terms and conditions. The parties respectfully request that the Court attempt to locate a mediator who is a sitting bankruptcy judge or magistrate, who would serve as mediator at no charge. The parties would also request that the Court fix a reasonable deadline for completion of the mediation. We note in this respect that we have been advised by Helen Barefield, Esq., counsel to Richard Galli and Galli Engineering, a defendant in the Construction Defect Action, that they are amenable to this mediation proposal.

We look forward to discussing the foregoing with the Court at Thursday's hearing.

Respectfully submitted,

DelBello Donnellan Weingarten Wise &
Wiederkehr LLP
Counsel to the Debtor

Golenbock Eiseman Assor Bell & Peskoe LLP
Counsel to Loft Space Condominium

By: /s/ Dawn Kirby
Dawn Kirby

By: /s/ Jonathan L. Flaxer
Jonathan L. Flaxer